

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

SEP 29 2003

PAT. & T.M. OFFICE    Ex parte DAVID S. HOOVER, FRED M. KIMOCK,  
BOARD OF PATENT APPEALS    LESLIE L. BARKLEY and STEPHEN P. KOWALCHUK  
AND INTERFERENCES

Application No. 09/307,261

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on September 17, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On March 25, 2003, the examiner mailed an Examiner's Answer (Paper No. 11). On pages 3 and 4, section (9) of the Answer, the examiner relies upon prior art and lists the prior art therein. However, a review of the file reveals that there is no copy of the prior art listed on page 4 of the Answer, namely, both The Microsoft Press Computer Dictionary and the Merriam-Webster's Collegiate Dictionary references.

Application No. 09/307,261

Accordingly, it is

ORDERED that the application is returned to the examiner to provide a complete copy of both of the dictionary references relied upon in the Answer as prior art, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

DALE M. SHAW  
Program and Resource Administrator  
(703) 308-9797

cc: Robert J. Crawford, PLLC  
1270 Northland Drive  
Suite 390  
St. Paul, MN 55120

DMS/clm/dm  
RA03-0554